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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/527,104	03/10/2005	Melanie John	6355	3785

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EXAMINER

AMIRI, NAHID

ART UNIT PAPER NUMBER

3679

DATE MAILED: 09/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/527,104	Applicant(s) JOHN ET AL.	
	Examiner Nahid Amiri	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10 March 2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claim 16 objected to because of the following informalities: In line 1, after "claim 15" should add --, wherein the first and second bent areas--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 21 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 21-22, lines 1-2, there is no antecedent basis for "said connecting elements". Note that only one connecting element has been previously set forth. Further, it is unclear how a single connecting element can constitute several separate connecting elements. If applicants intend for the combination to be claimed, then such should be set forth in proper combination claim format. Therefore, there is no art rejection can be applied at this time because any such rejection would require undue speculation as to the meaning of the terms in the claims.

Claim Rejections - 35 USC § 102

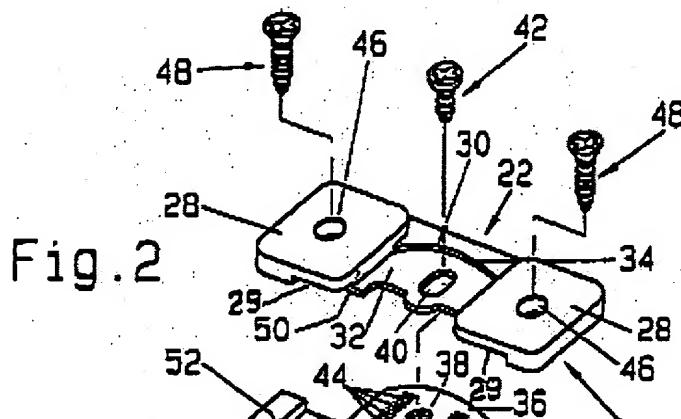
The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 13-20 and 23-24 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,664,288 Lautenschlager et al.

With respect to claim 13, Lautenschlager et al. disclose a connecting element (22, Fig. 2, see below) for detachably connecting several articles with one another, the connecting element (2) comprising a center part (32); a first lateral end area (28) and a second lateral end area (28); a first bent area (50) connecting the first lateral end (28) area to the center part (32) and a second bent area (50) connecting the second lateral end area (28) to the center part (32); wherein the first and second end areas (28) are positioned within a common first plane and wherein the center part (32) is positioned in a second plane; wherein the first plane and the second plane are parallel to one another and are spaced at a spacing from one another; wherein the spacing between the first and second planes is defined by a height of the first and second bent areas, respectively; and wherein the connecting element (22) has two lateral openings (46) and a central cutout (40).



With respect to claim 14, it is noted that such claim further limits claim 13 by defining the location of the openings of the two lateral openings options. However, claim 13 also sets forth a central cutout only option. Nothing in claim 14 requires any particular one of the three alternative options. Accordingly, Lautenschlager et al. still anticipate claim 14 because of central cutout (40). In other words, the central cutout option first set forth in claim 13 remains the chosen option for claim 14.

With respect to claims 15 and 16, Lautenschlager et al. disclose that the first and second lateral areas (28) each have one of the two lateral openings (46); wherein the first and second

bent areas (50) are identical and that there is a mirror-symmetrical configuration relative to a central plane extending through the center part (32).

With respect to claims 17 and 18, it is noted that such claims further limit claim 13 by defining the location of the central cutout with respect to the two lateral openings. However, claim 13 also sets forth a central cutout only option. Nothing in claims 17 and 18 require any particular one of the three alternative options. Accordingly, Lautenschlager et al. still anticipate claims 17 and 18 because of central cutout (40). In other words, the central cutout option first set forth in claim 13 remains the chosen option for claims 17 and 18.

With respect to claims 19 and 20, it is noted that such claims further limit claim 13 by defining the slanted contact surfaces of the central part with respect to the two lateral openings. However, claim 13 also sets forth a central cutout only option. Nothing in claims 19 and 20 require any particular one of the three alternative options. Accordingly, Lautenschlager et al. still anticipate claims 19 and 20 because of the two lateral openings options (46). In other words, the two lateral opening option (46) first set forth in claim 13 remains the chosen option for claims 19 and 20.

With respect to claims 23 and 24, Lautenschlager et al. disclose (Fig. 2; column 6, lines 20-21) that connecting element (22) is comprised of angled sheet metal; and wherein the first and second lateral end areas (28) have attachment points.

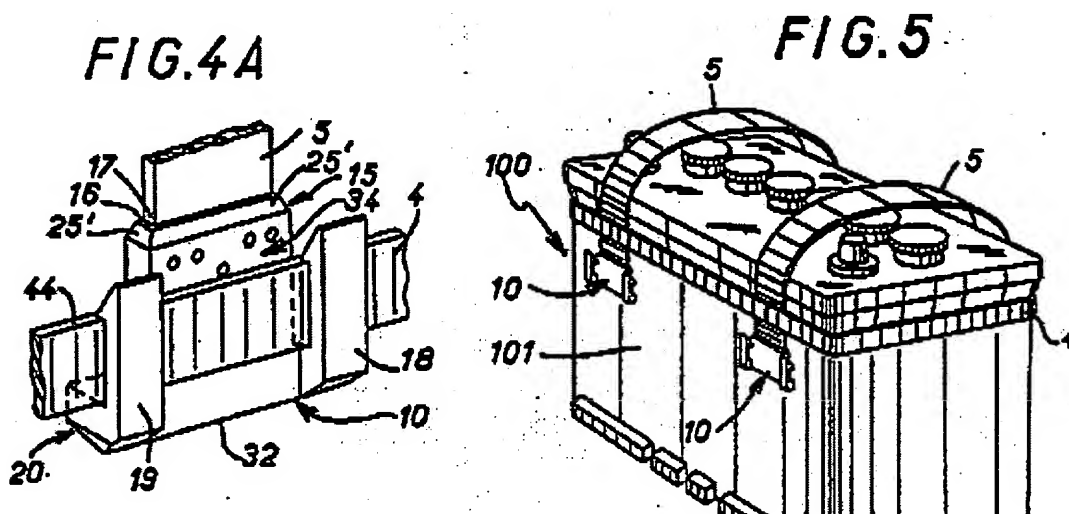
(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 13, 15, 16, and 24 are rejected under 35 U.S.C. 102(a) as being anticipated by Pub. No. FR 2646406 A1 Gille et al.

With respect to claim 13, Gille et al. disclose a connecting element (10, Fig. 4A, see below) for detachably connecting several articles with one another, the connecting element (10) comprising a center part (32); a first lateral end area (18) and a second lateral end area (19); a first bent area connecting the first lateral end (18) area to the center part (32) and a second bent area connecting the second lateral end area (19) to the center part (32); wherein the first and

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second end areas (18, 19) are positioned within a common first plane and wherein the center part (32) is positioned in a second plane; wherein the first plane and the second plane are parallel to one another and are spaced at a spacing from one another; wherein the spacing between the first and second planes is defined by a height of the first and second bent areas, respectively; and wherein the connecting element (10) has a central cutout.



With respect to claims 15 and 16, Gille et al. disclose (Fig. 4A) that the first and second bent areas are identical; and further the first and second bend areas having a mirror-symmetrical configuration relative to a central plane extending through the center part (32).

With respect to claim 24, Gille et al. disclose (Fig. 5, see above) that the first and second lateral end areas (18, 19) have attachment points.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The prior art of the record US Patent No. 3,322,878 Christensen; US Patent No. 5,245,727 Sasaki; US Patent No. 6,061,872 Albrecht et al.; US Patent No. 3,299,448 Rucchio; US Patent No. 4,023,859 Hagenson; US Patent No. Re. 27,200 Ferdinand et al.; are cited to show a connecting element with central part and two lateral end areas.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nahid Amiri whose telephone number is (571) 272-8113. The examiner can normally be reached on 8:30-5:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ne
Nahid Amiri
Examiner
Art Unit 3679
August 17, 2006



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